

Current as of: April 17, 2003

Dear APPLICANT:

This is an application package for EPA Special Appropriations Projects Grants. A PDF read-only version and a WordPerfect version of the general application package for other EPA financial assistance programs may be found on the EPA Region 4 Grants Management Office Homepage, which may be accessed at:

<http://www.epa.gov/region4/grantpgs/grants.htm>

If you have problems accessing our web site, please contact Harriet Yancey at 404-562-8408.

If you have questions about the assistance program for which you are applying or need help in completing your application, please contact the Grants Management Office at 404/562-8400 or one of the following Grants Specialists at 404/562-xxxx:

Hector Buitrago - 8397

Elaine Curles - 8364

Shirley Grayer - 8416

Stephanie Lankford - 8423

Christine McKay - 8414

Ethelreen Murdix - 8426

Ralph Robinson - 8418

Tracy Shellhorse - 8411

Ken Turner - 8428

Applications should be submitted at least sixty (60) days prior to the expected date of award. Your completed original application and one copy should be mailed to:

**GRANTS MANAGEMENT OFFICE
ENVIRONMENTAL PROTECTION AGENCY
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GA 30303-8960**

APPLICATION KIT CONTENTS

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Note: Many of the OMB Standard Forms may also be accessed through their web site:

<http://www.whitehouse.gov/omb/grants/>

ATTACHMENT 1

APPLICATION SUBMITTAL CHECKLIST

APPLICATION PACKAGE SUBMITTAL CHECKLIST

_____ SF 424, 424C & D and Key Contacts Form

_____ Clearinghouse comments, if applicable and available.

_____ EPA Form 5700-49, "Certification Regarding Debarment, Suspension and Other Responsibility Matters".

_____ Anti-Lobbying Recipient Certification must be completed and returned if you are requesting **\$100,000 or more** in Federal funds. Please retain the "Disclosure of Lobbying Activities" form for your use in reporting Lobbying activities during the project period of the assistance award.

_____ Current indirect cost rate negotiation agreement, if applicable.

_____ Compliance Report - EPA Form 4700-4

_____ Quality assurance statement, if applicable. If your project/program involves environmentally related measurements or data generation, a Quality Assurance Plan is required. The system must comply with the requirements of ANSI/ASQC E4, "Specifications and Guidelines for Quality Systems for Environmental Data Collection and Environmental Technology Programs," which may be obtained from the National Technical Information Service (NTIS), 5885 Port Royal Road, Springfield, VA 22161.

_____ WORKPLAN - Prepared in accordance with instruction provided by your EPA Project Officer.

_____ Procurement System Certification

MAIL THE ORIGINAL AND ONE COPY OF YOUR COMPLETED APPLICATION TO:

**GRANTS MANAGEMENT OFFICE
ENVIRONMENTAL PROTECTION AGENCY
ATLANTA FEDERAL CENTER
61 FORSYTH ST, SW
ATLANTA, GA 30303-8906**

ATTACHMENT 2

APPLICATION FORMS

SF 424, 424C AND 424D

KEY CONTACTS FORM

OMB Approval No. 0348-0043

Previous Edition Usable
Authorized for Local Reproduction

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

- | Item: | Entry: |
|---|--|
| 1. Self-explanatory. | 12. List only the largest political entities affected (e.g., State, counties, cities). |
| 2. Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable). | 13. Self-explanatory. |
| 3. State use only (if applicable). | 14. List the applicant's Congressional District and any District(s) affected by the program or project. |
| 4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank. | 15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate <u>only</u> the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. |
| 5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application. | 16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. |
| 6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service. | 17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. |
| 7. Enter the appropriate letter in the space provided. | 18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.) |
| 8. Check appropriate box and enter appropriate letter(s) in the space(s) provided: | |
| -- "New" means a new assistance award. | |
| -- "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date. | |
| -- "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. | |
| 9. Name of Federal agency from which assistance is being requested with this application. | |
| 10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested. | |
| 11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project. | |

BUDGET INFORMATION - Construction Programs

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$.00	\$.00	\$.00
2. Land, structures, rights-of-way, appraisals, etc.	\$.00	\$.00	\$.00
3. Relocation expenses and payments	\$.00	\$.00	\$.00
4. Architectural and engineering fees	\$.00	\$.00	\$.00
5. Other architectural and engineering fees	\$.00	\$.00	\$.00
6. Project inspection fees	\$.00	\$.00	\$.00
7. Site work	\$.00	\$.00	\$.00
8. Demolition and removal	\$.00	\$.00	\$.00
9. Construction	\$.00	\$.00	\$.00
10. Equipment	\$.00	\$.00	\$.00
11. Miscellaneous	\$.00	\$.00	\$.00
12. SUBTOTAL (sum of lines 1-11)	\$.00	\$.00	\$.00
13. Contingencies	\$.00	\$.00	\$.00
14. SUBTOTAL	\$.00	\$.00	\$.00
15. Project (program) income	\$.00	\$.00	\$.00
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$.00	\$.00	\$.00

FEDERAL FUNDING

17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.	Enter eligible costs from line 16c Multiply X _____ %	\$.00
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INSTRUCTIONS FOR THE SF-424C

Public reporting burden for this collection of information is estimated to average 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0041), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This sheet is to be used for the following types of applications: (1) "New" (means a new [previously unfunded] assistance award); (2) "Continuation" (means funding in a succeeding budget period which stemmed from a prior agreement to fund); and (3) "Revised" (means any changes in the Federal Government's financial obligations or contingent liability from an existing obligation). If there is no change in the award amount, there is no need to complete this form. Certain Federal agencies may require only an explanatory letter to effect minor (no cost) changes. If you have questions, please contact the Federal agency.

Column a. - If this is an application for a "New" project, enter the total estimated cost of each of the items listed on lines 1 through 16 (as applicable) under "COST CLASSIFICATION."

If this application entails a change to an existing award, enter the eligible amounts *approved under the previous award* for the items under "COST CLASSIFICATION."

Column b. - If this is an application for a "New" project, enter that portion of the cost of each item in Column a. which is *not* allowable for Federal assistance. Contact the Federal agency for assistance in determining the allowability of specific costs.

If this application entails a change to an existing award, enter the adjustment [+ or (-)] to the previously approved costs (from column a.) reflected in this application.

Column. - This is the net of lines 1 through 16 in columns "a." and "b."

Line 1 - Enter estimated amounts needed to cover administrative expenses. Do not include costs which are related to the normal functions of government. Allowable legal costs are generally only those associated with the purchases of land which is allowable for Federal participation and certain services in support of construction of the project.

Line 2 - Enter estimated site and right(s)-of-way acquisition costs (this includes purchase, lease, and/or easements).

Line 3 - Enter estimated costs related to relocation advisory assistance, replacement housing, relocation payments to displaced persons and businesses, etc.

Line 4 - Enter estimated basic engineering fees related to construction (this includes start-up services and preparation of project performance work plan).

Line 5 - Enter estimated engineering costs, such as surveys, tests, soil borings, etc.

Line 6 - Enter estimated engineering inspection costs.

Line 7 - Enter estimated costs of site preparation and restoration which are not included in the basic construction contract.

Line 9 - Enter estimated cost of the construction contract.

Line 10 - Enter estimated cost of office, shop, laboratory, safety equipment, etc. to be used at the facility, if such costs are not included in the construction contract.

Line 11 - Enter estimated miscellaneous costs.

Line 12 - Total of items 1 through 11.

Line 13 - Enter estimated contingency costs. (Consult the Federal agency for the percentage of the estimated construction cost to use.)

Line 14 - Enter the total of lines 12 and 13.

Line 15 - Enter estimated program income to be earned during the grant period, e.g., salvaged materials, etc.

Line 16 - Subtract line 15 from line 14.

Line 17 - This block is for the computation of the Federal share. Multiply the total allowable project costs from line 16, column "c." by the Federal percentage share (this may be up to 100 percent; consult Federal agency for Federal percentage share) and enter the product on line 17.

ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE
APPLICANT ORGANIZATION		DATE SUBMITTED

KEY CONTACTS

AGENCY/ORGANIZATION DIRECTOR

(Individual who is authorized to sign the assistance agreement application and award acceptance.)

NAME: _____

TITLE: _____

ADDRESS: _____

TELEPHONE: _____ **EMAIL** _____

PROGRAM/PROJECT DIRECTOR

(Technical program director or person responsible for the project as a contact person in Block #5 of the application.)

NAME: _____

TITLE: _____

ADDRESS: _____

TELEPHONE: _____ **EMAIL** _____

FINANCE DIRECTOR

(Individual responsible for maintaining the accounting and financial management system supporting expenditures, preparing the financial reports, etc.)

NAME: _____

TITLE: _____

ADDRESS: _____

TELEPHONE: _____ **EMAIL** _____

ATTACHMENT 3

SUPPLEMENTAL GENERAL INSTRUCTIONS

Note: Please refer to the instructions for SF-424 on the SF-424 form. Those items not discussed below are considered self-explanatory or adequately covered by the form instructions.

FACE SHEET - SF424

ITEM

7. If a non-profit organization, please indicate your IRS classification. 501(c)(4) organizations which lobby are not eligible for Federal financial assistance.
9. Please insert the name, if applicable, of the EPA person(s) from whom you have received pre-application assistance. This ensures your application will go to the appropriate EPA program office for review.
10. Insert the Catalogue of Federal Domestic Assistance number and title if known. See enclosed list of catalog numbers and titles.
11. A BRIEF description of the project or program. A detailed description is included in the workplan or project narrative.
13. The proposed project period should reflect the amount of time that will be required to complete the ENTIRE scope of work.
- 14.a. Enter Congressional district numbers where office is located.
b. Enter district(s) affected by the program/project. If every district in State, enter "Statewide."
16. The Intergovernmental Review process is necessary and can delay funding of your application until completed. You should start this process as early as possible but not later than 60 days prior to anticipated award. Contact your State Clearinghouse to determine if an application review is required. You must submit to EPA either a written statement that a review of the application is not required or the Clearinghouse must provide EPA with comments on the application. This review process may take as long as 60 days. See enclosed list of State Points of Contact or alternate instructions. *Tribes are encouraged to comply with the process, but it is not mandatory.*
18. The application *must* be signed by the person or entity who has authority to commit the applicant to performance and compliance with the assurances stated in SF 424D and to execute the assistance agreement on behalf of the applicant.

GRANT PROGRAMS ADMINISTERED BY EPA

The **Catalog of Federal Domestic Assistance** (CFDA) is a government-wide compendium of Federal programs, projects, services, and activities which provide assistance or benefits to the American public. The CFDA contains financial and nonfinancial assistance programs administered by departments and establishments of the Federal government.

For a listing of the CFDA and the assistance programs administered by EPA as contained in the CFDA, please refer to the following web site:

<http://www.epa.gov/ogd/cfda.htm>

Below is a listing of the grant programs administered by EPA as listed in the catalog:

- 66.001 Air Pollution Control Program Support
- 66.009 Air Information Center
- 66.032 State Indoor Radon Grants
- 66.033 Ozone Transport
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.419 Water Pollution Control: State and Interstate Program Support
- 66.432 State Public Water System Supervision
- 66.433 State Underground Water Source Protection
- 66.454 Water Quality Management Planning
- 66.456 National Estuary Program
- 66.458 Capitalization Grants for State Revolving Funds
- 66.460 Nonpoint Source Implementation Grants
- 66.461 Wetlands Grants
- 66.463 Water Quality Cooperative Agreements
- 66.466 Chesapeake Bay Program
- 66.467 Wastewater Operator Training Grant Program (Technical Assistance)
- 66.468 Capitalization Grants for Drinking Water State Revolving Fund
- 66.469 Great Lakes Program
- 66.500 Environmental Protection: Consolidated Research
- 66.508 Senior Environmental Employment Program
- 66.600 Environmental Protection Consolidated Grants: Program Support
- 66.604 Environmental Justice Grants to Small Community Groups
- 66.605 Performance Partnership Grants
- 66.606 Surveys, Studies, Investigations and Special Purpose Grants
- 66.607 Training and Fellowships for the Environmental Protection Agency
- 66.608 One Stop Reporting
- 66.609 Children's Health Protection
- 66.700 Consolidated Pesticide Enforcement Cooperative Agreements

66.701 Toxic Substances Compliance Monitoring Cooperative
Agreements
66.707 TSCA Title IV State Lead Grants: Certification of Lead-Based
Paint Professionals
66.708 Pollution Prevention Grants Program
66.710 Environmental Justice Community/University Partnership
Grants Program
66.711 Environmental Justice through Pollution Prevention Grants
66.713 State and Tribal Environmental Justice
66.714 Pesticide Environmental Stewardship: Regional Grants
66.801 Hazardous Waste Management State Program Support
66.802 Superfund State Site: Specific Cooperative Agreements
66.804 State and Tribal Underground Storage Tanks Program
66.805 Leaking Underground Storage Tank Trust Fund Program
66.806 Superfund Technical Assistance Grants for Citizen Groups at
Priority Sites
66.807 Superfund Innovative Technology Evaluation Program
66.808 Solid Waste Management Assistance
66.809 Superfund State Core Program Cooperative Agreements
66.810 CEPP Technical Assistance Grants Program
66.811 Brownfield Pilots Cooperative Agreements
66.926 Indian Environmental General Assistance Program
66.930 U.S.-Mexico Border Grants Program
66.950 Environmental Education and Training Program
66.951 Environmental Education Grants

INTERGOVERNMENTAL REVIEW PROCESS STATE POINTS OF CONTACT

(Refer to Item #16 of the “Supplemental General Instructions for Application Form SF424.)

ALABAMA

BACKGROUND:

Executive Order 12372 and EPA's implementing regulations - 40 CFR Part 29, 40 CFR 30.12(c), and 40 CFR 31.11 - require that all interested state, areawide, regional, and local agencies be given the opportunity to review and to comment on proposed Federal assistance within their area(s) of jurisdiction or influence. The regulations also provide for implementation of the requirements of Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, as amended, which apply to all Federal assistance.

EPA cannot award assistance until all interested parties (e.g., State agencies, Planning and Economic Development agencies) have been given the opportunity to review the proposed project and all concerns of these agencies about the proposed project have been satisfactorily disposed of by the applicant.

A copy of your application should be submitted to the appropriate agency(ies) listed below for comment at least 60 days before sending your application to EPA. It is not necessary to send an application to all Development Districts and agencies listed but only to those agencies responsible for the area(s) affected or that may be affected by your proposed project. Please include with your application to EPA a copy of all comments received and, if required, an explanation of action taken to accommodate any concerns of the designated agencies.

PROCEDURES:

Applicants for projects in Alabama having *state-wide impact* should submit a copy of their applications to the CENTRAL ALABAMA REGIONAL PLANNING AND DEVELOPMENT COMMISSION (REGION 9) on the list below. They are serving as the State Intergovernmental Review Clearinghouse for these projects. For projects having local impact, applications should be sent to the appropriate Regional Development Commission listed below.

REGION 1

NORTHWEST ALABAMA COUNCIL OF LOCAL GOVERNMENTS

Mr. Keith Jones, Executive Director

P.O. Box 2603

103 Student Drive

Muscle Shoals

AL 35662

256/389-0500 FAX 256/389-0599

REGION 2

WEST ALABAMA PLANNING AND DEVELOPMENT COUNCIL

Mr. Robert B. Lake, Executive Director

4200 Highway 69 North, Suite 1

Northport

AL 35473

205/333-2990 FAX 205/333-2713

REGION 3

BIRMINGHAM REGIONAL PLANNING COMMISSION
Mr. Larry W. Watts, Executive Director
2112 Eleventh Avenue, South
Magnolia Office Park, Suite 220
Birmingham
AL 36256

202/251-8139 FAX 205/328-3304

REGION 4

EAST ALABAMA REGIONAL PLANNING AND DEVELOPMENT COMMISSION
Mr. Bill Curtis, Executive Director
P.O. Box 2186
1130 Quintard Avenue, Suite 300
Anniston
AL 36202

205/237-6741 FAX 205/237-6763

REGION 5

SOUTH CENTRAL ALABAMA DEVELOPMENT COMMISSION
Tyson Howard, Executive Director
5900 Carmichael Place
Montgomery
AL 36117

334/244-6903 FAX 334-270-0038

REGION 6

ALABAMA-TOMBIGBEE REGIONAL COMMISSION
Mr. John C. Riggs, Executive Director
107 Broad Street
Camden
AL 36726

334/682-4234 FAX 334/682-4205

REGION 7

SOUTHEAST ALABAMA REGIONAL PLANNING & DEVELOPMENT COMMISSION
Mr. W. Fred Dykes, Executive Director
P.O. Box 1406
462 North Oates Street
Dothan
Alabama 36302

334/794-4093 FAX 334/794-3288

REGION 8

SOUTH ALABAMA REGIONAL PLANNING COMMISSION
Mr. Russ Wimberly, Executive Director
P.O. Box 1665
651 Church Street
Mobile
AL 36633

334/433-6542 FAX 334/433-6009

REGION 9**CENTRAL ALABAMA REGIONAL PLANNING & DEVELOPMENT COMMISSION**

Mr. Bob Grasser, Executive Director
125 Washington Avenue, 3rd Floor
Montgomery
AL 36104

334/262-4300 FAX 334/262-6976

REGION 10**LEE-RUSSELL COUNCIL OF GOVERNMENTS**

Ms. Suzanne G. Burnette, Executive Director
2207 Gateway Drive
Opelika
AL 36801

334/749-5264 FAX 334/749-6582

REGION 11**NORTH CENTRAL ALABAMA REGIONAL COUNCIL OF GOVERNMENTS**

Mr. C. Ronald Matthews, Executive Director
216 Jackson Street, SE
P.O. Box C
Decatur
AL 35602

205/355-4515 FAX 205/351-1380

REGION 12**TOP OF ALABAMA REGIONAL COUNCIL OF GOVERNMENTS**

Mr. Bob Culver, Executive Director
115 Washington Street, SE
Huntsville
AL 35801

205/533-3330 FAX 205/533-3442

FLORIDA

Ms. Cindy Cranick, Coordinator
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

850/922-5438

GEORGIA

Ms. Barbara Jackson, Administrator
Georgia State Clearinghouse
Office of Planning and Budget
270 Washington Street, SW
Atlanta, GA 30334

404/656-3855

KENTUCKY

Mr. Ronald W. Cook, Manager
Kentucky State Clearinghouse
2nd Floor, Capital Plaza Tower
Frankfort, KY 40601

502/573-2382

MISSISSIPPI

Ms. Mildred Tharpe, Clearinghouse Officer
Office of Federal Grant Management and Reporting
Department of Finance and Administration
303 Walter Schillers Building
550 High Street
Jackson, MS 39201

601/949-2174

NORTH CAROLINA

Ms. Chrys Baggett
State Clearinghouse
Department of Administration
116 West Jones Street
Raleigh, NC 27603-8003

919/733-7232

SOUTH CAROLINA

Ms. Omeagia Burgess
Intergovernmental Review
Office of the Governor
1205 Pendleton Street, Room 477
Columbia, SC 27201

803/734-0494

TENNESSEE

BACKGROUND:

Executive Order 12372 and EPA's implementing regulations - 40 CFR Part 29, 40 CFR 30.12(c), and 40 CFR 31.11 - require that all interested state, areawide, regional, and local agencies be given the opportunity to review and to comment on proposed Federal assistance within their area(s) of jurisdiction or influence. The regulations also provide for implementation of the requirements of Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, as amended, which apply to all Federal assistance.

EPA cannot award assistance until all interested parties (e.g., State agencies, Planning and Economic Development agencies) have been given the opportunity to review the proposed project and all concerns of these agencies about the proposed project have been satisfactorily disposed of by the applicant.

Since the State of Tennessee currently has no Single Point of Contact for Intergovernmental Review, a copy of your application should be submitted to the appropriate agency(ies) listed below for comment at least 60 days before sending your application to EPA. It is not necessary to send an application to all Development Districts and agencies listed but should be sent only to those agencies responsible for the area(s) affected or that may be affected by your proposed project. Please include with your application to EPA a copy of all comments received and, if required, an explanation of action taken to accommodate any concerns of the designated agencies.

PROCEDURES:

Therefore, applicants for projects in Tennessee should submit a copy of their applications to each of the appropriate State Agency Grant Review Contacts.

Mr. James Morris
Department of Economic and Community Development
Local Planning Division
6th Floor, Rachel Jackson Building
Nashville, TN 37243

Mr. Jack Hughes
Department of Environment and Conservation
401 Church Street
L & C Tower
Nashville, TN 37243

Mr. N.E. Christianson
Department of Transportation
6th Floor, James K. Polk Building
Nashville, TN 37243

Mr. Joe Garrison
Tennessee Historical Commission
2941 Lebanon Road
Nashville, TN 37243-0442

Mr. Dan Sherry
Tennessee Wildlife Resources Agency
P.O. Box 40747
Nashville, TN 37204

Applicants should also send a copy to the appropriate Tennessee Development District listed below:

NORTHWEST TENNESSEE

Mr. John Bucy, Executive Director
P.O. Box 963
124 Weldon Street
Martin, TN 38237

901/587-4215

GREATER NASHVILLE REGIONAL COUNCIL

Mr. Maynard Pate, Executive Director
700 Stahlman Building
211 Union Street, Box 233
Nashville, TN 37201

615/862-8828

UPPER CUMBERLAND

Ms. Wendy Atkins, Executive Director
1225 Burgess Falls Road
Cookeville, TN 38501

615/432-4111

FIRST TENNESSEE

Ms. Susan Roberts Reid, Executive Director
207 North Boone Street, Suite 800
Johnson City, TN 37604

615/928-0224

MEMPHIS AREA ASSOCIATION OF GOVERNMENTS

Mr. John Sicola, Executive Director
157 Poplar Avenue, B150
Memphis, TN 38103

901/576-4610

SOUTHWEST TENNESSEE

Mr. Evelyn C. Robertson, Jr, Executive Director
Williamsburg Office Park
27 Conrad Drive, Suite 150
Jackson, TN 38301

901/668-7112

SOUTH CENTRAL TENNESSEE

Mr. Joe M. Williams, Executive Director
815 South Main
P.O. Box 1346
Columbia, TN 38401

615/381-2040

SOUTHEAST TENNESSEE

Mr. Joe Guthrie, Executive Director
25 Cherokee Boulevard
P.O. Box 4757
Chattanooga, TN 37405

615/266-5781

EAST TENNESSEE

Mr. Bob Freeman, Executive Director
5616 Kingston Pike
P.O. Box 19806
Knoxville, TN 37939

615/584-8553

ATTACHMENT 4

QUALITY ASSURANCE STATEMENT

The attached form should be completed and included with your application.

Information on QA requirements may be found by accessing the following EPA web site:

<http://www.epa.gov/quality>

or by contacting the Region 4 Quality Assurance Officer

Gary Bennett at 706-355-8551

QUALITY ASSURANCE PLAN

_____ This program/project does not involve environmentally related measurements or data generation; therefore, a Quality Assurance Plan is not required pursuant to the above referenced assistance regulations.

_____ This program/project involves environmentally related measurements or data generation; therefore a Quality Assurance Plan which meets the requirements of:

_____ 40 CFR 30.54 for Universities and Non-Profit Organizations is attached or will be developed before field work begins; or,

_____ 40 CFR 31.45 for State and Local Governments is attached or will be developed before field work begins.

Authorized Representative

Date

ATTACHMENT 5

CERTIFICATION ON DEBARMENT AND SUSPENSION

This form certifies that you are not included in the “List of Parties Excluded from Federal Procurement of Nonprocurement Programs.” You must also obtain this certification from each contractor or vendor when acquiring goods and services in excess of \$100,000 during the project period of the award.

Your Prime Contractors must submit this certification to you for retention in your project file. Subcontractors must submit the certification to their Prime Contractor for retention in the Prime Contractor’s project files.

U.S. Environmental Protection Agency

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative

Signature of Authorized Representative

Date

____ I am unable to certify to the above statements. My explanation is attached.

ATTACHMENT 6

LOBBYING CERTIFICATION

The attached Anti-Lobbying Recipient Certification must be completed and returned if you are requesting \$100,000 or more in federal funds.

Please use the Disclosure of Lobbying Activities form (SF-LLL) for reporting Lobbying activities to the EPA pursuant to 31 U.S.C. 1352.

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

TYPED NAME & TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE OF AUTHORIZED REPRESENTATIVE _____ DATE _____

_____ I am unable to certify to the above statements. My explanation is attached.

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee <input type="checkbox"/> Tier _____, <i>if known.</i> Congressional District, <i>if known:</i> _____			5. If Reporting Entity in No. 4 is Subawardee, enter Name and Address of Prime: Congressional District, <i>if known:</i> _____		
6. Federal Department/Agency:			7. Federal Program Name/Description: CFDA Number, <i>if applicable:</i> _____		
8. Federal Action Number, if known:			9. Award Amount, if known: \$ _____		
10. a. Name and Address of Lobbying Registrant <i>(If individual, last name, first name, MI):</i>			b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____		
Federal Use Only:					

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 3152. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department Transportation, US Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

ATTACHMENT 7

COMPLIANCE REPORT - EPA FORM 4700-4

This report must be completed and submitted with your application.

COMPLIANCE REPORT - EPA FORM 4700-4

TITLE VI, CIVIL RIGHTS ACT OF 1964

As required by 40 CFR Part 7, all applicants must include a completed EPA Form 4700-4, Pre-award Compliance Review Report, with any/all requests for federal financial assistance. ***Grant applications will not be processed if this form is not submitted.*** State applicants may submit the form annually with the other required yearly certifications.

All applicants must complete roman numerals I through V. Sections VI through IX must be completed if applicable to the assisted program. If any of the information in Sections VI through IX is not relevant to the project or program for which assistance is requested, please enter "NA" for "Not Applicable." Loan recipients under EPA funded grantee revolving loan programs shall also complete and submit the form to the state agency authorizing the loan. Applicants for the Hardship Grants Program for Rural Communities shall also complete and submit the form to the appropriate State agency.

Any questions relating to these requirements should be directed to the Regional EEO Officer, Freda Lockhart at 404/562-8142.



United States Environmental Protection Agency
Washington, DC 20460

FORM Approved
OMB No. 2090-0014
Expires 2-28-03

Preaward Compliance Review Report For
All Applicants Requesting Federal Financial Assistance

Note: Read instructions on reverse side before completing form.

I. A. Applicant <i>(Name, City, State)</i>		B. Recipient <i>(Name, City, State)</i>	C. EPA Project No.
II. Brief description of proposed project, program or activity.			
III. Are any civil rights lawsuits or complaints pending against applicant and/or recipient? If "Yes", list those complaints and the disposition of each complaint.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
IV. Have any civil rights compliance reviews of the applicant and/or recipient been conducted by any Federal Agency during the two years prior to this application for activities which would receive EPA Assistance? If "Yes", list those compliance reviews and status of each review.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
V. Is any other Federal financial assistance being applied for or is any other Federal financial assistance being applied to any portion of this project, program or activity? If "Yes", list the other Federal Agency(s), describe the associated work and the dollar amount of assistance.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
VI. If entire community under the applicant's jurisdiction is not served under the existing facilities/services, or will not be served under the proposed plan, give reasons why.			
VII. Population Characteristics		Number of People	
1. A. Population of Entire Service Area			
B. Minority Population of Entire Service Area			
2. A. Population Currently Being Served			
B. Minority Population Currently Being Served			
3. A. Population to be Served by Project, Program or Activity			
B. Minority Population to be Served by Project, Program or Activity			
4. A. Population to Remain Without Service			
B. Minority Population to Remain Without Service			
VIII. Will all new facilities or alterations to existing facilities financed by these funds be designed and constructed to be readily accessible to and useable by handicapped persons? If "No", explain how a regulatory exception (40 CFR 7.70) applies.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
IX. Give the schedule for future projects, programs or activities (or of future plans), by which service will be provided to all beneficiaries within applicant's jurisdiction. If there is no schedule, explain why.			
X. I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			
A. Signature of Authorized Official		B. Title of Authorized Official	C. Date
For the U.S. Environmental Protection Agency			
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Authorized EPA Official	Date

General

Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes.

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the title shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment).

Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities.

Section 504 of The Rehabilitation Act of 1973 provides that no otherwise qualified handicapped individual shall solely by reason of handicap be excluded from participation in, be denied the benefit of or be subjected to discrimination under any program or activity receiving Federal finance assistance. Employment discrimination on the basis of handicap is prohibited in all such programs or activities.

The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission.

Title IX of the Education Amendments of 1972 provides that no person on the basis of sex shall be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution.

The information on this form is required to enable the U.S. Environmental Protection Agency to determine whether applicants and prospective recipients are developing projects, programs and activities on a nondiscriminatory basis as required by the above statutes.

Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission.

If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable".

In the event applicant is uncertain about how to answer certain questions, EPA program officials should be contacted for clarification.

ITEMS

- IA. "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance.
- IB. "Recipient" means any entity, other than applicant, which will actually receive EPA assistance.
- IC Self-explanatory.
- II. Self-explanatory.
- III. "Civil rights lawsuits" means any lawsuit or complaint alleging discrimination on the basis of race, color, national origin, sex, age or handicap pending against the applicant and/or entity which actually benefits from this grant. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed.
- IV. "Civil rights compliance review" means any review assessing the applicant's and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age or handicap. If any part of the review covered the entity which will actually benefit from the grant, it should be listed.
- V. Self-explanatory.
- VI. The word "community" refers to the area under the applicant's and/or recipient's jurisdiction. The "community" might be a university or laboratory campus, or a community within a large city. If there is a significant disparity between minority and nonminority populations to receive service, not otherwise satisfactorily explained, the Regional office may require a map which indicates the minority and nonminority population served by this project, program or activity.
- VII. This information is required so that reviewers may determine if a disparity in the proposed provision of services will exist in the event the application is approved for funding. Give population of recipient's jurisdiction, broken out by categories as specified.

In the event the applicant cannot provide the requested information because the funds will be distributed over a wide demographic area which is yet to be determined, an explanation may be provided on a separate sheet. For example, a State applying for a capitalization grant under the State Revolving Fund program may not know which cities and counties will apply for and receive, SRF loans.

VIII. Self-explanatory.

IX. “Jurisdiction” means the geographical area over which applicant has the authority to provide service.

X. Self-explanatory.

“Burden Disclosure Statement”

EPA estimates public reporting burden for the preparation of this form to average 30 minutes per response. This estimate includes the time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding the burden estimate, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

ATTACHMENT 8

[RESERVED]

ATTACHMENT 9

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

DEVELOPMENT PLAN

You must include a fair share objective for the utilization of minority (MBE) and women's (WBE) business enterprises in procurement under EPA assistance agreements. These objectives must be based on negotiations prior to award of any assistance agreement. Please read the attached guidance and contact the DBE coordinator for your state as shown below for further information:

Rafael Santamaria 404 562-8110

**DISADVANTAGED BUSINESS ENTERPRISE FAIR SHARE
COMMITMENT**

EPA's policy is that recipients of Federal assistance award a fair share of procurement actions to disadvantaged business enterprises (DBEs), including historically black colleges and universities (HBCUs). These fair share objectives must be based on availability of qualified minority businesses enterprises (MBEs) and women's business enterprises (WBEs) to do work in the relevant market for procurement activities for four separate categories, i.e., construction, equipment, services, and supplies. Please indicate below whether you chose to use the State negotiated rates as your fair share objective or to develop your own rates based on availability in your market area (fill out only one of the forms). The Region 4 state rates are attached. For rates outside Region 4 or for questions concerning the rates, please call Rafael Santamaria at 404 562-8110.

_____ chooses
(Name of applicant)

to use the State negotiated rates for procurement activities funded by any EPA agreement as follows:

MBE

WBE

Construction
Equipment
Services
Supplies
Consolidated goal

_____ chooses
(Name of applicant)

to conduct an availability analysis of the relevant market area and submit the package to EPA for negotiation prior to any procurement activity funded by an assistance agreement.

APPLICANT'S CONTACT FOR DBE ISSUES:

NAME: _____

TITLE: _____ PHONE: _____

SMALL, MINORITY, AND WOMEN'S BUSINESS ENTERPRISE IN PROCUREMENT UNDER ASSISTANCE AGREEMENTS

The following excerpts are taken from the EPA GUIDANCE FOR UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES IN PROCUREMENT UNDER ASSISTANCE AGREEMENTS - 6010 distributed by the EPA Office of Small and Disadvantaged Business Utilization in July 1997. The complete document is available at:

http://www.epa.gov/osdbu/complete_guidance.pdf

Fair Share Policy

It is EPA policy that small (SBEs), minority (MBEs), women's (WBEs) and small businesses in rural areas (SBRAs) be afforded the maximum practicable opportunity to participate as contractors, subcontractors, suppliers and otherwise in EPA awarded financial assistance programs. This policy applies to all contracts, subcontracts and procurements for supplies, construction, equipment and services under EPA grants, cooperative agreements, interagency agreements, and loans. Pursuant to this policy, recipients of grants, agreements and loans, and their prime contractors, shall make good faith efforts to award a fair share of contracts, subcontracts and procurements to SBEs, MBEs, WBEs and SBRAs.

The policy also requires that fair share objectives for MBEs and WBEs be negotiated with the States and/or recipients, but does not require that fair share objectives be established for SBEs or SBRAs. Accordingly, while good faith efforts are required with respect to SBEs, MBEs, WBEs and SBRAs, the numerical fair share objectives apply only to MBEs and WBEs.

A fair share objective does not constitute a quota or an absolute requirement. A fair share objective imposes an obligation on the recipient or prime contractor to exercise good faith efforts as set forth in Section C. A recipient or prime contractor is not required to meet a fair share objective if it has made good faith efforts and has submitted documentation of such action.

Fiscal year fair share objectives are set based upon the negotiations which have taken place between the regions and either the delegated States or the recipient as the case may warrant.

The minimum national fair share objective is 8%.

Good Faith Efforts

Good faith efforts by a recipient or prime contractor mean efforts to attract and utilize SBEs, MBEs, WBEs and SBRAs through fulfillment of the six affirmative steps set forth below:

- (1) Include qualified SBEs, MBEs, and WBEs on solicitation lists;
- (2) Assure that SBEs, MBEs, and WBEs are solicited whenever they are potential sources;
- (3) Divide total requirements, when economically feasible, into small tasks or quantities to permit maximum participation of SBEs, MBEs, and WBEs;
- (4) Establish delivery schedules, where the requirements of the work permit, which will encourage participation by SBEs, MBEs, and WBEs;
- (5) Use the services and assistance of the Small Business Administration and the Minority Business Development Agency, U.S. Department of Commerce, as appropriate; and
- (6) If the prime contractor awards contracts/procurements, require the contractor to take the affirmative steps in paragraphs (1) through (5) of this section.

Examples

EPA offers the following examples of activities to assist recipients and prime contractors in carrying out the outreach, recruitment and race/gender neutral activities. EPA or delegated States should encourage recipients to adopt these examples and use them to evaluate recipients and prime contractors' compliance with the good faith efforts.

(1) Include qualified SBEs, MBEs, and WBEs on solicitation lists.

- (a) Maintain and update a listing of qualified SBEs, MBEs, WBEs and SBRAs that can be solicited for supplies, construction and/or services.
- (b) Provide listings to all interested parties who requested copies of the bidding or proposing documents.
- (c) Contact appropriate sources within your geographic area and State to identify qualified MBEs and WBEs for placement on your minority and women's business listings.
- (d) Utilize other MBE/WBE listings such as those of the State's Minority Business Office, the Small Business Administration, Minority Business Development Agency, U.S. Environmental Protection Agency, Office of Small and Disadvantaged Business Utilization (OSDBU), and the Department of Transportation.
- (e) Have the State environmental agency personnel review this solicitation list.

(2) Assure that SBEs, MBEs, and WBEs are solicited.

- (a) Conduct meetings, conferences, and follow-ups with SBEs, MBEs, WBEs and SBRAs, small, minority and/or women's business associations, minority media, etc., to inform these groups of opportunities to provide supplies, services, and construction.
- (b) MBE utilization is facilitated if the recipient or prime contractor advertise through the minority media. Such advertisements may include, but are not limited to, contracting and subcontracting opportunities, hiring and employment, or any other matter related to the project.
- (c) Conduct pre-bid, pre-solicitation, and post-award conferences to ensure that consultants, suppliers, and builders solicit SBEs, MBEs, WBEs and SBRAs.
- (d) Provide bidders and offerors with listings of qualified SBEs, MBEs, WBEs, and SBRAs and establish that a fair share of contracts/procurements should be awarded to these groups.
- (e) Advertise in general circulation, trade publications, State agency publications of identified source, minority or women's business focused media, etc., concerning contracting opportunities on your projects. Maintain a list of minority or women's business-focused publications that may be utilized to solicit MBEs or WBEs.
- (f) Provide interested SBEs, MBEs, WBEs or SBRAs with adequate information about plans, specifications, timing and other requirements of the proposed projects.
- (g) Provide SBE, SBRA, MBE or WBE trade organizations with succinct summaries of solicitations.
- (h) Notify SBEs, MBEs, WBEs or SBRAs of future procurement opportunities so that they may establish bidding solicitations and procurement plans.

(3) Divide total requirements when economically feasible, into small tasks or quantities to permit maximum participation of SBEs, MBEs, WBEs and SBRAs.

- (a) Perform an analysis to identify portions of work that can be divided and performed by qualified SBEs, MBEs, WBEs and SBRAs.
- (b) Scrutinize the elements of the total project to develop economically feasible units of work that are within the bonding range of SBEs, MBEs, WBEs and SBRAs.
- (c) Analyze bid packages for compliance with the good faith efforts to afford SBEs, MBES, WBEs and SBRAs maximum participation.

(4) Establish delivery schedules, where requirements of the work permit, which will encourage participation by SBEs, MBEs, WBEs, and SBRA.

- (a) Consider lead times and scheduling requirements often needed by SBE, MBE, WBE or SBRA participation.
- (b) Develop realistic delivery schedules which may provide for greater SBE, MBE, WBE or SBRA participation.

(5) Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce, as appropriate.

- (a) Use the services of outreach programs sponsored by the Minority Business Development Agency and/or the Small Business Administration to recruit bona fide firms for placement on SBEs', MBEs', WBEs' or SBRA's bidders lists to assist these firms in the development of bid packaging.
- (b) Seek out Minority Business Development Centers (MBDCs) to assist recipients and prime contractors in identifying MBEs for potential work opportunities on your projects. Use the Memorandum of Understanding (Attachment 4) between EPA and MBDA to assist in providing management and technical assistance.

MBE or WBE Prime Contractor

If an MBE or WBE prime contractor awards any subcontracts or procurements, such prime also must engage in the good faith efforts to achieve the fair share objectives.

Recordkeeping Requirements

Recipients must retain all records documenting their and their prime contractor(s)' good faith efforts. In addition, recipients must submit EPA Form 5700-52A, "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements, and Interagency Agency Agreements," to the EPA award official beginning with the Federal fiscal year quarter the recipient receives the award and continuing until the project is completed. These reports must be submitted to the award official within 30 days of the end of the Federal fiscal quarter (January 30, April 30, July 30 and October 30). EPA Form 5700-52A sets forth MBE and WBE utilization during the prior contract/procurement award phases of the grant or cooperative agreement.

Responsibilities

Recipients, including non-delegated States, of EPA financial assistance are responsible for assuring the "fair share" objectives are fully implemented by itself and prime contractors.

- a. Recipients must comply with the small, minority and women's business enterprise-related requirements in 40 CFR §31.36(e), 40 CFR §30.44(b), 40 CFR §35.3145, and 40 CFR §35.6580, as applicable.
- b. The recipient is responsible for ensuring that the prime contractor(s) awarding contracts/procurements comply with the regulations specified in a. above.
- c. After bid opening or receipt of proposal(s), the recipient must evaluate bids to determine whether they are responsive to all material terms of the bid solicitation.

U.S. ENVIRONMENTAL PROTECTION AGENCY MBE/WBE UTILIZATION UNDER FEDERAL GRANTS, COOPERATIVE AGREEMENTS, AND INTERAGENCY AGREEMENTS

PART 1. (Reports are required even if no procurements are made during the reporting period.)

1A. FEDERAL FISCAL YEAR 200_____		1B. REPORTING QUARTER (Check appropriate box) <input type="checkbox"/> 1 st (Oct-Dec) <input type="checkbox"/> 2 nd (Jan-Mar) <input type="checkbox"/> 3 rd (Apr-Jun) <input type="checkbox"/> 4 th (Jul-Sep) <input type="checkbox"/> Annual																																					
1C. REVISION Year: _____ Quarter: _____		HIGHLIGHT ITEMS TO BE REVISED AND PROVIDE EXPLANATION IN BLOCK No. 6																																					
2A. FEDERAL FINANCIAL ASSISTANCE AGENCY (EPA Office Address - ATTN: DBE Coordinator)		3A. REPORTING RECIPIENT (Name and Address)																																					
2B. REPORTING CONTACT (EPA DBE Coordinator)	2C. PHONE:	3B. REPORTING CONTACT (Recipient)	3C. PHONE:																																				
4A. FINANCIAL ASSISTANCE AGREEMENT ID NUMBER (SRF State Recipients, Refer to Instructions for Completion of 4A, 5A, and 5C)		4B. FEDERAL FINANCIAL ASSISTANCE PROGRAM																																					
5A. TOTAL ASSISTANCE AGREEMENT AMOUNT EPA Share: \$ _____ Recipient Share: \$ _____		5B. Check and skip to Block No. 7 if no procurements and accomplishments were made this reporting period. <input type="checkbox"/>																																					
5C. TOTAL PROCUREMENT AMOUNT THIS REPORTING PERIOD (ONLY include the amount not in any prior reporting period and procurements made by SRF Loan Recipients and Sub-Recipients) \$ _____ (Exclude procurement amounts reported by Prime Contractors)																																							
5D. ACTUAL MBE/WBE PROCUREMENT ACCOMPLISHED THIS REPORTING PERIOD BY RECIPIENT (SRF State Recipients, Report State Procurement Activities Here) <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">\$ MBE</th> <th style="text-align: center;">\$ WBE</th> </tr> </thead> <tbody> <tr><td>Construction</td><td>_____</td><td>_____</td></tr> <tr><td>Equipment</td><td>_____</td><td>_____</td></tr> <tr><td>Services</td><td>_____</td><td>_____</td></tr> <tr><td>Supplies</td><td>_____</td><td>_____</td></tr> <tr><td>TOTAL</td><td>_____</td><td>_____</td></tr> </tbody> </table>			\$ MBE	\$ WBE	Construction	_____	_____	Equipment	_____	_____	Services	_____	_____	Supplies	_____	_____	TOTAL	_____	_____	5E. ACTUAL MBE/WBE PROCUREMENT ACCOMPLISHED THIS REPORTING PERIOD BY LOAN RECIPIENTS, SUB-RECIPIENTS, AND PRIME CONTRACTORS <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">\$ MBE</th> <th style="text-align: center;">\$ WBE</th> </tr> </thead> <tbody> <tr><td>Construction</td><td>_____</td><td>_____</td></tr> <tr><td>Equipment</td><td>_____</td><td>_____</td></tr> <tr><td>Services</td><td>_____</td><td>_____</td></tr> <tr><td>Supplies</td><td>_____</td><td>_____</td></tr> <tr><td>TOTAL</td><td>_____</td><td>_____</td></tr> </tbody> </table>			\$ MBE	\$ WBE	Construction	_____	_____	Equipment	_____	_____	Services	_____	_____	Supplies	_____	_____	TOTAL	_____	_____
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TOTAL	_____	_____																																					
6. COMMENTS:																																							
7. NAME OF AUTHORIZED REPRESENTATIVE		TITLE																																					
8. SIGNATURE OF AUTHORIZED REPRESENTATIVE		DATE																																					

EPA FORM 5700-52A - (5/96) available electronically at http://www.epa.gov/osdbu/5700_52a.pdf
NOTE: THIS REPORT IS DUE 30 DAYS AFTER THE END OF EACH FEDERAL FISCAL QUARTER OR ANNUAL:
 SUBMISSION DATES ARE: **January 30, April 30, July 30, and October 30***
 * ANNUAL REPORT

MBE/WBE PROCUREMENTS MADE DURING REPORTING PERIOD
EPA Financial Assistance Agreement Number: _____

1. Procurement Made By		2. Business Enterprise		3. \$ Value of Procurement	4. Date of Award MM/DD/YY	5. Type of Product or Services ^A (Enter Code)	6. Name/Address/Phone Number of MBE/WBE Contractor or Vendor
Recipient	Other	Minority	Women				

^AType of product or service codes:

1 = Construction

2 = Supplies

3 = Services

4 = Equipment

A = Business Services
 B = Professional Services
 C = Repair Services
 D = Personal Services

INSTRUCTIONS

MBE/WBE UTILIZATION UNDER FEDERAL ASSISTANCE AGREEMENTS AND INTERAGENCY AGREEMENTS EPA FORM 5700-52A

A. General Instructions:

MBE/WBE utilization is based on Executive Orders 11625, 12138, 12432, P.L. 102-389 and EPA Regulations Part 30 and 31. EPA Form 5700-52A must be completed by recipients of Federal grants, cooperative agreements, or other Federal financial assistance which involve procurement of supplies, equipment, construction or services to accomplish Federal assistance programs.

Recipients are required to report to EPA within one month following the end of each Federal fiscal year quarter or annually as in the agreement.

B. Definitions:

Procurement is the acquisition through order, purchase, lease or barter of supplies, equipment, construction or services needed to accomplish Federal assistance programs.

A *contract* is a written agreement between an EPA recipient and another party (other than another public agency) and any lower tier agreement for equipment, services, supplies, or construction necessary to complete the project. Includes personal and professional services, agreements with consultants, and purchase orders.

A *minority business enterprise* (MBE) is a business concern that is (1) at least 51 percent owned by one or more minority individuals, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more minority individuals; and (2) whose daily business operations are managed and directed by one or more of the minority owners.

U.S. citizenship is required. Recipients shall presume that minority individuals include Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, or other groups whose members are found to be disadvantaged by the Small Business Act or by the Secretary of Commerce under section 5 of Executive order 11625. The reporting contact at EPA can provide additional information.

A *woman business enterprise* (WBE) is a business concern that is, (1) at least 51 percent owned by one or more women, or, in the case of a publicly owned

business, at least 51 percent of the stock is owned by one

or more women and (2) whose daily business operations are managed and directed by one or more of the women owners.

Business firms which are 51 percent owned by minorities or women, but are in fact managed and operated by non-minority individuals do not qualify for meeting MBE/WBE procurement goals.

The following affirmative steps for utilizing MBEs and WBEs are required to be documented:

1. Inclusion of MBEs/WBEs on solicitation lists.
2. Assure MBEs/WBEs are solicited once they are identified.
3. Where feasible, divide total requirements into smaller tasks to permit maximum MBE/WBE participation.
4. Where feasible, establish delivery schedules which will encourage MBE/WBE participation.
5. Encourage use of the services of the U.S. Department of Commerce's Minority Business Development Agency (MBDA) and the U.S. Small Business Administration to identify MBEs/WBEs.
6. Require that each party to a subgrant, subagreement, or contract award take the affirmative steps outlined here.

C. Instructions for Part I:

- 1a. Complete Federal fiscal year.
- 1b. Check applicable reporting box quarterly or annually. **(Federal fiscal year runs from October 1 through September 30.)**
- 1c. Indicate if this is a change to previous year or quarter. **(Highlight items to be revised and provide explanation in Block No.6-Comments.)**
- 2a-c. **"Will be provided by EPA."**

3a-c. Identify the agency, state authority, university or other organization which is the recipient of the Federal financial assistance and the person to contact concerning this report.

4a. Assistance Agreements or Interagency Agreement number assigned by EPA. A separate form must be used for each Assistance Agreement or Interagency Agreement.

***For SRF recipients:** In box 4a list numbers for ALL open Assistance Agreements. SRF recipients will report activity for all Agreements on one form.

4b. Refer back to Assistance Agreement document for this information.

5a. Total amount of Assistance Agreement which includes Federal funds plus recipient matching funds and funds from other sources.

***For SRF recipients only:** SRF recipients will not enter an amount in 5a. Please leave 5a blank.

5b. Self-explanatory.

5c. Total contracts/procurements awarded this quarter. For example: Actual dollars for procurement from the procuring office; actual contracts let from the contracts office; actual goods, services, supplies, etc., from other sources including the central purchasing/procurement centers).

***For SRF recipients only:** In 5c please enter the total procurement amount for the quarter under all of your SRF Assistance Agreements. The figure reported in this section is **not** directly tied to an individual Assistance Agreement identification number.

5d. Dollar amount of all MBE/WBE procurement amounts awarded under this reporting period by the recipient. **(These amounts include the Federal, State and local shares in the procurement awards). (SRF state recipient report state procurements in this section.)**

5e. Dollar amount of all MBE/WBE procurement amounts awarded under this reporting period by the loan recipients, sub-recipients, and prime contractors.

6. Additional comments or explanations. Please refer to specific item number(s) if appropriate.

7. Name and title of official administrator or designated reporting official.

8. Signature and month, day year report submitted.

D. Instructions for Part II:

For each MBE/WBE procurement made under this assistance agreement during the reporting period, provide the following information:

1. Check whether this is a *first tier* procurement made directly by Federal financial assistance recipient or other *second tier* procurement made by recipient's subgrantee or prime contractor. **Include all qualifying second tier purchases executed this quarter regardless of when the first tier procurement occurred.**

2. Check MBE or WBE.

3. Dollar value of procurement.

4. Date of award, shown as month, day, year. Date of award is defined as the date the contract or procurement was awarded, **not** the date the contractor received payment under the awarded contract or procurement, unless payment occurred on the date of award.

5. Using codes at the bottom of the form, identify type of product or service acquired through this procurement (eg., enter 1 if construction, 2 if supplies, etc).

6. Name, address, and telephone number of MBE/WBE firm.

This data is requested to comply with provisions mandated by: statute or regulations (40 CFR Part 30 and 31); OMB Circulars; or added by EPA to ensure sound and effective assistance management. Accurate, complete data are required to obtain funding, while no pledge of confidentiality is provided.

The public reporting and recording burden for this collection of information is estimated to average 1 hour per response annually. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclosure or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2136), 401 M St., S.W., Washington, D.C. 20460. Include the OMB Control number in any correspondence. Do not send the completed form to this address.

REGION 4 MBE/WBE NEGOTIATED RATES

ALABAMA

Supplies (commodities)	2% MBE and 2.6% WBE
Services (contractual)	4% MBE and 4.9% WBE
Equipment	3.3% MBE and 3.3% WBE
Construction	3.1% MBE and 2.4% WBE

FLORIDA

SRF Construction (both SRF)	11% MBE and 3% WBE
A & E Services:	10% MBE and 15% WBE
Commodities:	7% MBE and 17% WBE
Contractual:	14% MBE and 36% WBE
Construction: (non SRF)	10% MBE and 11% WBE

GEORGIA

GA DNR

Construction: (includes all SRF)	4% MBE and 4% WBE
All Other Categories:	4.75% MBE and 1% WBE

GA EFA

SRF Construction: (Drinking & Clean Water Program)	4.6% MBE and 2.7% WBE
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KENTUCKY

SRF Construction: (both programs)	3% MBE and 5% WBE
Equipment:	1.5% MBE and 6.4% WBE
Services:	4% MBE and 1.8% WBE
Supplies:*	2% MBE and 5% WBE

* As explained elsewhere, this goal applies to only non-State grantees in Kentucky as State recipients are already contractually committed to an exclusive supplier.

MISSISSIPPI

SRF Construction	
Drinking Water:	2.9% MBE and 0.64% WBE
Clean Water:	5.9% MBE and 1.6% WBE
Equipment:	3.7% MBE and 3.0% WBE
Commodities: (supplies)	1.1% MBE and 1.8% WBE
Contractual: (services)	1.7% MBE and 2.3% WBE

NORTH CAROLINA

SRF Construction: (both programs)	8% MBE and 5% WBE
Agriculture (only)	
Supplies:	1.5% MBE and 1.5% WBE
Services:	0% MBE and 8.8% WBE
Professional Services: (statewide)	4% MBE and 10% WBE
Goods & Services: (includes all equipment, supplies & services)	7% MBE and 9% WBE

SOUTH CAROLINA

Construction: (all SRF)	3.6% MBE and 2.4% WBE
Services:	11% MBE and 11% WBE
Equipment:	10% MBE and 10% WBE
Supplies:	9% MBE and 9% WBE
UST Services:	0% MBE and 1.44% WBE

TENNESSEE

Construction: (includes all SRF)	3.7% MBE and 2% WBE
All Other Categories	3.8% MBE and 2.5% WBE

ATTACHMENT 10

REGULATIONS

AND

OMB CIRCULARS

REGULATIONS AND OMB CIRCULARS

The general grant regulations and OMB Circulars listed below apply to *all* EPA Special Appropriations Projects (SPAPs) grants. (NOTE: General Administrative Regulations and Cost Principles *apply by type of organization*, e.g. State Agency, non-profit, etc.) Compliance is a recipient responsibility; accordingly, applicants/recipients should read and follow these documents. EPA will provide assistance, if needed, in interpretation and compliance with these documents. Contact your EPA Project Officer for details.

These documents may be accessed electronically at the following Internet address:

<http://www.epa.gov/ogd/grants/regulations.htm>

Hard copies are available upon request. Contact a Grants Specialist for further information.

GENERAL GRANT REGULATIONS:

40 CFR -

- PART 7 - NON-DISCRIMINATION IN PROGRAMS RECEIVING
FEDERAL ASSISTANCE FROM EPA (1990)
- PART 29 - INTERGOVERNMENTAL REVIEW OF EPA PROGRAMS
AND ACTIVITIES
- PART 30 - GRANTS AND AGREEMENTS WITH INSTITUTIONS OF
HIGHER EDUCATION, HOSPITALS, AND OTHER NON-
PROFIT ORGANIZATIONS (1996)
- PART 31 - UNIFORM ADMINISTRATIVE REQUIREMENTS FOR
GRANTS AND COOPERATIVE AGREEMENTS TO STATE
AND LOCAL GOVERNMENTS (1995)

40 CFR -

- PART 32 - GOVERNMENT-WIDE DEBARMENT AND SUSPENSION
(NON-PROCUREMENT) AND GOVERNMENT-WIDE
REQUIREMENTS FOR DRUG-FREE WORKPLACE;
CLEAN AIR ACT AND CLEAN WATER ACT
INELIGIBILITY OF FACILITIES IN PERFORMANCE OF
FEDERAL CONTRACTS, GRANTS, AND LOANS (1996)
- PART 34 - NEW RESTRICTION ON LOBBYING (1995)

OMB CIRCULARS

- A-21 - COST PRINCIPLES FOR EDUCATIONAL INSTITUTIONS
- A-87 - COST PRINCIPLES FOR STATE, LOCAL AND TRIBAL
GOVERNMENTS
- A-122 - COST PRINCIPLES FOR NON-PROFIT ORGANIZATIONS
- A-133 - AUDIT REQUIREMENTS - ALL APPLICANTS